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JOHN L. EDMONDS, individually and as a :
Managing General Partner of Fifth and 106th :
Street Housing Company, Inc., Logan Plaza :
Associates, LP, Charles H. Hill Associates a/k/a :
Charles H. Hill Associates, LP, and as a Limited :
Partner of Church Home Associates, LP, :

Plaintiffs, :

-against- :

ROBERT W. SEAVEY, individually and as a :
General Partner of Fifth and 106th Street :
Associates, LP, LOGAN PLAZA ASSOCIATES, :
LP, CHARLES HILL ASSOCIATES, :
CHARLES HILL ASSOCIATES, LP, as a :
Limited Partner of Church Home Associates, :
LP, PHYLLIS M. SEAVEY, individually and as :
Owner, Manager and Member of Dalton :
Management Company LLC, AVERY SEAVEY, :
individually and as a General Partner of :
Logan Plaza Associates, LP, Church Home :
Associates and Owner of Dalton Management :
Company, LLC, NEALE B. SEAVEY, :
individually and as Owner, Manager and :
Member of Dalton Management Company, LLC :
RONALD DAWLEY, as Chief Executive Officer :
of Dalton Management Company, LLC, :
DALTON MANAGEMENT COMPANY, LLC, :
THE SEAVEY ORGANIZATION, MARK :
PANETH & SHRON, Auditors, :

Defendants. :

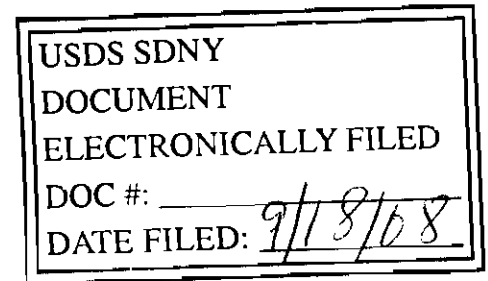
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Hon. Harold Baer, Jr., District Judge:

WHEREAS on June 25, 2008, this Court ordered Defendants to show cause as to why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure to require Defendants, during the pendency of this action, to comply with all the requests from the independent auditors retained by Plaintiff; and

WHEREAS on September 16, 2008, this Court heard oral argument, during which Plaintiff's counsel asserted that Defendants had not complied with all of Plaintiffs' requests for discovery; it is hereby

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ORDER



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ORDERED that by October 2, 2008, Plaintiff's counsel will submit to this Court a list of all requests for documents and interrogatories to which Defendants have not responded, including but not limited to Plaintiff's interrogatories dated July 1, 2008 and document requests dated September 11, 2008; and it is further

ORDERED that by October 2, 2008, Plaintiff will file with the Court, and submit to my Chambers, his reply to Defendants' opposition to Plaintiff's motion for a preliminary injunction; and it is further

ORDERED that the parties will appear before the Court on October 6, 2008 at 10 a.m. for further argument on Plaintiff's motion, and, if the parties wish to have this dispute mediated on that occasion in lieu of oral argument, they are to let the Court know by September 30 and submit a two- to three-page *ex parte* letter to the Court explaining how the matter should be resolved by October 2, 2008 and have their clients in attendance.

SO ORDERED.

September 18, 2008
New York, New York



U.S.D.J.